

REMARKS

Claims 1-14 are pending in this application. By this Amendment, claims 1, 2 and 9 are amended. No new matter is added. Support for the amendments to claim 1 is found in Fig. 1, for example, of the application. Reconsideration of the application is respectfully requested.

Entry of the amendments is proper under 37 CFR §1.116 since the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issue requiring further search and/or consideration as the amendments amplify issues previously discussed throughout prosecution; and (c) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

The Office Action rejects claim 1 under 35 U.S.C. §102(e) over U.S. Patent No. 6,977,452 to Yoda et al. (Yoda). This rejection is respectfully traversed.

Claim 1 recites, *inter alia*, that a control device includes a plurality of electrode plates that are radially offset from each other. This feature is shown in Applicant's Fig. 1, for example.

The Office Action asserts that a field control coil 11 corresponds to the recited control device. However, Yoda does not teach or suggest that the field control coil 11 includes a plurality of electrode plates and that the plurality of electrode plates is radially offset from each other. Therefore, Applicant respectfully submits that claim 1 is patentably distinct from Yoda. Withdrawal of the rejection is respectfully requested.

The Office Action rejects claim 1 35 U.S.C. §102(e) over U.S. Patent Publication No. 2002/0158523 to Abadia et al. (Abadia). This rejection is respectfully traversed.

The Office Action asserts that a magnetic target 50 corresponds to the recited control device. However, Abadia does not teach or suggest that the magnetic target 50 includes a plurality of electrode plates and that the plurality of electrode plates is radially offset from each other. Therefore, Applicant respectfully submits that claim 1 is patentably distinct from Yoda. Withdrawal of the rejection is respectfully requested.

The Office Action rejects claims 9, 10, 13 and 14 under 35 U.S.C. §103(a) over Yoda in view of U.S. Patent No. 6,538,356 to Jones. This rejection is respectfully traversed.

Jones discloses a plurality of disks 16 each having metalization pads 19. See Fig. 3 of Jones. However, when the disks 16 are stacked onto each other as shown in Fig. 3, the metalization pads 19 of the disk 16-b, for example, come above the metalization pads of the disk 16a and are offset circumferentially. The radial position of the metalization pads are the same for each pad. Therefore, Jones does not teach or suggest a plurality of electrode plates that are radially offset from each other, as recited in claim 1. Therefore, even if Yoda and Jones are combined, Yoda and Jones do not teach or suggest the features of claim 1. Thus, claims 9, 10, 13 and 14 are allowable at least for their dependence on claim 1, as well as for the additional features they recite. Withdrawal of the rejection is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the application are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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